

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LAUSTEVEION JOHNSON,

Plaintiff,

v.

FIRE, *et al.*

Defendants.

Case No. 2:21-cv-01925-GMN-EJY

ORDER

On August 11, 2022, the Court entered an Order requiring the Attorney General's Office ("AG's Office") to file a notice advising the Court and Plaintiff of the names of those defendants on whose behalf it would accept service as well as the names of those defendants for whom it would not accept service, together with the last known addresses for defendants not represented by the AG's Office. ECF No. 12. The last known addresses were to be filed under seal. *Id.* On September 1, 2022, the AG's Office filed a notice accepting service on behalf of Defendants Trent Reynolds and Benjamin Estill, who are current employees of the Nevada Department of Corrections. ECF No. 14. The AG's Office stated service is not accepted on behalf of Defendant Darryl Kelly, who is a former employee of the Nevada Department of Corrections. *Id.* Defendant Kelly's last known address was filed under seal. ECF No. 15.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court **must** issue a summons for Defendant Darryl Kelly and deliver the same to the U.S. Marshal's Office with the address provided under seal for this Defendant (ECF No. 15).

IT IS FURTHER ORDERED that the Clerk of Court **must** also deliver a copy of this Order, Plaintiff's Complaint (ECF No. 6), and the Court's Screening Orders (ECF Nos. 7, 12) to the U.S. Marshal for service on Defendant Darryl Kelly.

IT IS FURTHER ORDERED that the Clerk of Court **must** mail to Plaintiff one USM-285 form, together with a copy of this Order.

1 IT IS FURTHER ORDERED that Plaintiff **must** complete the USM-285 form for Defendant
2 Darryl Kelly to the best of his ability and return the same to the Clerk's Office by mail no later than
3 **January 12, 2023**.

4 IT IS FURTHER ORDERED that upon receipt of the completed USM-285 form in the
5 Clerk's Office, the Clerk of Court **must** file the form under seal, recording the same on the docket,
6 and deliver a copy of the completed form to the U.S. Marshal within one day of receipt.

7 IT IS FURTHER ORDERED that the U.S. Marshal Service **shall** attempt to effect service of
8 the summons, Complaint, and Screening Order on Defendant Darryl Kelly no later than **fifteen days**
9 after receipt of the completed USM-285.

10 IT IS FURTHER ORDERED that if Plaintiff fails to comply with this Order, Plaintiff's
11 claims against Defendant Darryl Kelly may be subject to dismissal for failure to complete service of
12 process pursuant to Fed. R. Civ. P. 4(m).

13 DATED this 12th day of December, 2022.

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15 ELAYNA J. YOUCHAH
16 UNITED STATES MAGISTRATE JUDGE
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